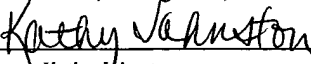


CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on August 26, 1999.

  
Kathy Johnston

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

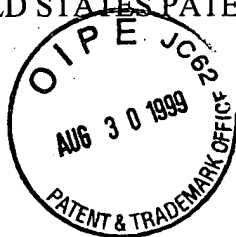
In the application of:

ALLEN et al.

Serial No.: 09/289,576

Filing Date: April 9, 1999

For: METHODS OF TREATING  
SCHIZOPHRENIA



Examiner: Unknown

Group Art Unit: 1614

PETITION FOR A CORRECTED FILING DATE UNDER 37 C.F.R. 1.10 (d)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is a Petition under 37 CFR 1.10 (d) to accord to U.S. Patent Application Serial No. 09/289,576 (hereinafter "correspondence") a filing date of April 9, 1999, which corresponds to the date the correspondence was deposited with the United States Postal Service (USPS). Attached is a copy of the Filing Receipt for U.S. Patent Application Serial No. 09/289,576 showing the improper date.

The undersigned Petitioner:

1) has filed this Petition promptly after becoming aware that the USPTO accorded an improper filing date based upon an incorrect entry by the USPS,

2) states that the number of the Express Mail mailing label was placed on the correspondence prior to the original mailing by Express Mail, and

3) shows below that the requested filing date is the date that the correspondence was deposited with the USPS. The attached corroborating evidence includes evidence from the USPS.

The correspondence was deposited with the U.S. Post Service, Express Mail service, on April 9, 1999. The transmittal included a "Certificate of Mailing by "Express Mail" listing the Express Mail Label No. in accordance with 37 C.F.R. 1.10. In support of this, attached to this Petition are photocopies of:

- the first page of the transmittal letter bearing the Certificate of Mailing by "Express Mail";
- the outgoing mail log of the Palo Alto office of Morrison & Foerster, LLP, date stamped April 9, 1999, showing that a package from NSB (the initials of the undersigned Petitioner) for docket no. 398802000600 (the docket number of the correspondence) was sent out on April 9, 1999; and
- a USPS form entitled "Pickup Service Statement-- Express Mail, Priority Mail, or Parcel Post" evidencing the pickup by a USPS representative of an Express Mail package bearing the Express Mail Label No. shown on the Certificate of Mailing by "Express Mail" on the transmittal letter for the correspondence on April 9, 1999.

In the unlikely event that the transmittal letter is separated from this request and the Patent Office determines that a fee is required, applicants petition for any required relief including extension of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952 (our ref. 398802000600)**. However, the Assistant commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: August 26, 1999

By:



Nicholas S. Buffinger  
Registration No. 39,124

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